

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAYMOND S. NAJOR,

Petitioner,

vs.

Case No.: 08-11274
HON. GEORGE CARAM STEEH

C. EICHENLAUB and MS. MOODY,

Respondents.

ORDER ACCEPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION [DOC. # 8]

This matter is before the Court on petitioner Raymond S. Najor's application for the writ of habeas corpus filed pursuant to 28 U.S.C. § 2241. Petitioner's application challenges the Bureau of Prison's regulations governing eligibility for placement in community corrections centers ("CCC"), which limit the Bureau of Prison's authority to designate an inmate to a CCC until the last 10% of the inmate's sentence, and limit such placement to no more than six months. Petitioner contends that these regulations violate the individualized placement consideration mandated by 18 U.S.C. § 3621(b). Respondents' response to the application argues that petitioner's claims are moot in light of the passage of the Second Chance Act.

The magistrate judge issued a report and recommendation recommending that petitioner's application be dismissed as moot because the enactment of the Second Chance Act grants him all the relief he seeks. Petitioner did not file objections to that report within the established time period. The Court has reviewed the file, record, and

magistrate judge's well-reasoned report and recommendation. The Court accepts the report and recommendation, and orders that petitioner's application for the writ of habeas corpus be dismissed as moot.

IT IS HEREBY ORDERED that the magistrate's report and recommendation is ACCEPTED.

IT IS FURTHER ORDERED that petitioner's application for the writ of habeas corpus is DISMISSED as moot.

SO ORDERED.

Dated: July 29, 2009

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on July 29, 2009, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk